

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

percent open (e.g., wrought iron or Plexiglas); however, the wall in question will not meet the 40 percent open standard. The property is located in the R-1-6,000 (Single-Unit Residential) District.

Recommended

Action: 1) Conduct public hearing; and
2) Adopt Resolution No. ____ approving Modification Permit No. MD2014-003

CEQA

Compliance: The project is categorically exempt under Section 15303, of the State CEQA (California Environmental Quality Act) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

**Item No. 3. Pizza del Perro Negro Minor Use Permit No. UP2014-017 (PA2014-066)
2233 W. Balboa Boulevard, Unit 102 Council District 1**

Summary: A minor use permit to convert an existing 1,050-square-foot, vacant commercial tenant space to a new take-out service, limited eating and drinking establishment. The proposal includes seating for six (6) patrons within a 400-square-foot customer area. No late hours (after 11:00 p.m.) or alcohol sales are proposed as part of this application. The property is located in the MU-W2 (Mixed-Use Water Related) District.

Recommended

Action: 1) Conduct public hearing; and
2) Adopt Resolution No. ____ approving Minor Use Permit No. UP2014-017

CEQA

Compliance: The project is categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities).

**Item No. 4. Sancho's Tacos Minor Use Permit No. UP2014-013 (PA2014-058)
3014 Balboa Boulevard Council District 1**

Summary: A request for a minor use permit to add a Type 41 Alcohol Beverage Control License (On-Sale Beer and Wine) in conjunction with an eating and drinking establishment previously approved by Specialty Food Permit No. 46. The Specialty Food Permit allows a maximum of 20 seats, including outdoor seating and hours of operation from 6:00 a.m. to 9:00 p.m. There are no proposed changes to the number of seats or the hours of operation. If approved, this Minor Use Permit would supersede Specialty Food Permit No. 46. The property is located in the CN (Commercial Neighborhood) District.

Recommended

Action: 1) Conduct public hearing; and
2) Adopt Resolution No. ____ approving Minor Use Permit No. UP2014-013

CEQA

Compliance: The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities).

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.